

REMARKS

The outstanding Office Action addresses claims 1-17. Since the only remaining rejections are overcome by the accompanying terminal disclaimer, Applicants have canceled nonelected claims 18-53 to expedite prosecution.

Double Patenting Rejections

Claims 1-17 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,599,323 in view of Sawhney. In addition, claims 1-8 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 7-12, 24, 26, and 27 of copending Application No. 10/022,182.

Applicants submit herewith a terminal disclaimer to obviate the obviousness-type double patenting rejection based on U.S. Patent No. 6,599,323, and a terminal disclaimer to obviate the obviousness-type double patenting rejection based on copending Application No. 10/022,182.

Claims 1-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. 10/320,751. Upon filing of the terminal disclaimers, this provisional obviousness-type double patenting rejection will be the sole rejection remaining. MPEP §822.01 states that:

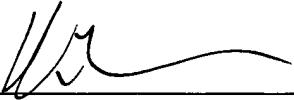
If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent....

Accordingly, the Examiner must withdraw this provisional rejection and issue a Notice of Allowance.

The Examiner is urged to telephone the undersigned attorney for Applicant in the event that such communication is deemed to expedite prosecution of this Application.

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Respectfully submitted,

By 

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